United Nations A/HRC/37/47

General Assembly

Distr.: General
8 January 2018

Original: English

Human Rights Council
Thirty-seventh session
26 February–23 March 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Representative of the Secretary-General for Children and Armed Conflict, Virginia Gamba. In the report, which covers the period from December 2016 to December 2017, the Special Representative outlines the activities undertaken in discharging her mandate and the progress achieved in addressing grave violations against children. The Special Representative also explores the challenges in strengthening the protection of children affected by armed conflict, including by addressing the impact of trafficking and the sale of children in situations of armed conflict, the emerging and recurrent challenges related to the denial of humanitarian access to children and progress in ending grave violations against children, in particular through direct engagement with parties to conflict. Lastly, the Special Representative sets out recommendations addressed to the Human Rights Council and Member States to further the protection of children's rights.

GE.18-00249(E)

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Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict

Contents

		Page
I.	Introduction	3
II.	A vision going forward following 20 years of the children and armed conflict mandate	3
III.	Progress and challenges in addressing grave violations against children in armed conflict	5
	A. Denial of humanitarian access and its impact on the human rights of children	5
	B. Grave violations, trafficking and the sale of children	6
	C. Engagement with government forces	8
	D. Addressing grave violations by non-State armed groups	10
IV.	Raising global awareness and mainstreaming	10
	A. Field visits and awareness-raising	10
	B. Working with regional organizations	12
	C. Building support with civil society	13
	D. Building support for partnerships with human rights entities and United Nations mechanisms	13
V.	Recommendations	15

I. Introduction

1. The present report covers the period from December 2016 to December 2017 and is submitted pursuant to General Assembly resolution 71/177, in which the Assembly requested the Special Representative of the Secretary-General for Children and Armed Conflict to submit a report to the Human Rights Council on the activities undertaken in fulfilment of her mandate, including information on her field visits, on the progress achieved and the challenges remaining on the children and armed conflict agenda.

II. A vision going forward following 20 years of the children and armed conflict mandate

2. Since the inception of the mandate, the Special Representative and the Office of the Special Representative have played a central role in strengthening the protection of the rights of children affected by armed conflict, including through raising awareness and ensuring that the issue is prioritized on the international agenda. The appointment of the new Special Representative, Virginia Gamba, in early May 2017, therefore presented a timely opportunity to look forward and analyse how efforts could be elevated to end and prevent grave violations affecting children in conflict. To that end, the new Special Representative is aiming to enhance her mandated activities, both in terms of raising public awareness to mobilize global action and garnering lessons learned, and developing best practices to aid practitioners and Member States. Geneva-based mechanisms and entities will be a key part of that vision moving forward.

3. In the two decades since the establishment of the mandate, the United Nations has developed innovative methods to engage with both Governments and armed groups for the benefit of children most affected by war. As a result, 29 action plans have been signed with parties to conflict to end violations against children and establish mechanisms to prevent them. Where the context was conducive and political will was strong, steady progress was achieved, which led to the full implementation of action plans and the subsequent delisting of 11 parties to conflict from the annexes to the annual report of the Secretary-General on children and armed conflict. That represents a significant impact on the protection of the rights of children during armed conflict.

4. The public awareness campaign, entitled "Children, Not Soldiers", launched jointly with the United Nations Children's Fund (UNICEF) in 2014, catalysed further progress to protect children affected by armed conflict. The campaign, which focused on one of the six grave violations, namely ending and preventing the recruitment and use of children, led to tangible results. With greater awareness of the issue, the Special Representative, together with UNICEF, the Department of Peacekeeping Operations and the Department of Political Affairs, was able to expedite progress, and child protection advisers on the ground played a critical role in operationalizing action plans and further strengthening the overall child protection architecture. Concrete advances included the criminalization of the recruitment and use of children, the issuance of military command orders, the systematic screening of troops, the adoption of age-assessment guidelines, the development of handover protocols and the release and reintegration of children formerly associated with armed forces.

5. A range of other initiatives by the Special Representative and her Office have also had an impact, such as supporting the development of national legislation to protect children; accountability initiatives; advocating for the ratification of international instruments; and leveraging peace processes to engage with parties to conflict on children affected by violations, notably in Africa, Asia and Latin America. Nevertheless, the complexity of the current contexts of armed conflict has contributed to an increase in the number of children at risk in situations where human rights violations are occurring. The mandate is therefore at a critical juncture and both the international community and civil society will need to reflect on how to renew their commitment to build on past achievements and work towards the goal of providing the best possible protection for children affected by war. This juncture corresponds with the opportunities provided by the

Sustainable Development Goals to endeavour to reach those who are the furthest behind, by working in partnership to ensure that children affected by armed conflict are protected from recruitment and use, provided with education and given the ability to live their lives in a heathy and peaceful manner.

6. To this end, as mandated by the General Assembly, the Special Representative plans to establish the capacity to enhance synergies among different United Nations agencies, regional and subregional organizations, international and local non-governmental organizations (NGOs) and civil society to raise further awareness of the six grave violations against children. In coordination with Geneva-based entities, the Special Representative considers it vital to commence exercises on lessons learned to identify best practices through research, analysis, assessment and working partnerships that can shed further light on the past 20 years of the collective work of the Organization on children and armed conflict, and identify difficulties encountered in strengthening the protection of children and ongoing trends and dynamics to inform future action.

7. It is essential to engage additional actors in pursuit of greater protection of children's rights and enhance engagement with actors where partnerships are already in place. In that regard, the Human Rights Council has reaffirmed that regional arrangements play an important role in promoting and protecting human rights.[1] The Special Representative therefore considers that partnerships with regional and subregional organizations can be developed or further advanced to secure politically or legally binding instruments to strengthen the prevention of violations in situations of armed conflict and facilitate programmatic responses when violations do occur. Among the regional organizations with which the Special Representative envisions enhancing engagement are the African Union, the League of Arab States and the European Union. Similarly, the Special Representative hopes to continue and strengthen the existing collaboration with such organizations as the North Atlantic Treaty Organization (NATO) in the pursuit of best practices and with the aim of supporting the development of additional operational procedures that adequately take into account child protection concerns.

8. Engagement will also be pursued with subregional organizations, including the Intergovernmental Authority on Development, the Economic Community of West African States (ECOWAS), the Economic Community of Central African States and the Andean Community. Such engagement has historical roots in the work of the Office of the Special Representative; focusing on subregional organizations has the potential to be a multiplier for further progress. For instance, in the early 2000s, ECOWAS progressively integrated child protection into its policies and institutions, including through the adoption of the Accra Declaration and Plan of Action on War-Affected Children, at the Conference on War-Affected Children in West Africa, held in Ghana on 27 and 28 April 2000; established a child protection unit in its secretariat; and endorsed an agenda for action for war-affected children in West Africa at the ECOWAS summit in 2003. The Special Representative plans to contribute to further progress by supporting the re-establishment of such instruments and mechanisms and creating new partnerships to leverage the tools of a broad range of subregional organizations.

9. The additional focus on advocacy and lessons learned will feed into the overarching goal of the mandate, namely strengthening the protection of the rights of children affected by armed conflict. It is envisioned that lessons learned and raising public awareness will aid interactions with parties to conflict when violations against children occur. Best practices can be used to assist parties to conflict who demonstrate a willingness to better protect children by ensuring that the conduct of hostilities complies with international standards. When a party to conflict is open to entering into dialogue, the plethora of best practices that have been developed over the past 20 years can guide technical discussions on protecting children's rights. However, to draw on the full potential of those best practices, it will be important to compile, capture and make them available to Governments, protection actors and other relevant entities. Awareness-raising, on the other hand, can be used to put pressure on belligerents who do not demonstrate the same willingness to improve their

[1] See Council resolution 34/17.

conduct. By using the different avenues of public awareness, political advocacy and direct engagement, parties may display greater receptiveness to improving their conduct and reducing violations against children. Those prevention efforts are at the heart of the Special Representative's goals of protecting the rights of children.

III. Progress and challenges in addressing grave violations against children in armed conflict

A. Denial of humanitarian access and its impact on the human rights of children

10. In recent years, the denial of humanitarian access to children in armed conflict has become a more prevalent violation and in 2016, 994 incidents were verified by the United Nations. Almost half of those incidents took place in South Sudan, which suffered a 100 per cent increase in incidents as compared with 2015. In 2017, humanitarian access continued to be regularly denied in numerous situations. For example, in the Syrian Arab Republic in the early part of the year, parties to the conflict used besiegement as a method of warfare, depriving nearly 650,000 persons of access to food and other essential commodities, including life-saving and life-sustaining medical items. Deliberate bureaucratic impediments and restrictions by the Government, in addition to a fragile security situation and access limitations imposed by armed groups, further prevented the delivery of humanitarian assistance. In South Sudan in 2017, humanitarian actors continued to be harassed and assaulted and came under attack as they conducted their activities. In one incident in Central Equatoria, six humanitarian actors were fired upon and killed as they attempted to reach populations in need. Humanitarian access in Rakhine State in Myanmar was also very limited during the reporting period. In March, for instance, travel restrictions for civilians cost the life of a 2-year-old child, as the child's parents were unable to obtain a "village departure certificate" in time to allow for his transfer to hospital. In early 2017, across the eastern Democratic Republic of the Congo, 182,000 children had no access to assistance, owing to a significant reduction in the humanitarian space to operate, caused by the fragile security situation. In Yemen, restrictions on the import and movement of aid around the country exacerbated the direct impact of conflict on children. At the time of writing in December, in addition to the world's worst cholera outbreak that affected children throughout 2017, the United Nations estimated that nearly 400,000 children were suffering from acute malnutrition.

11. Such instances, which were also observed in other country situations, point to a trend of the politicization of the provision of humanitarian access for the delivery of aid, even when it is intended for children. As the Secretary-General noted in his report on the protection of civilians, humanitarian action must remain distinct from political or military objectives (S/2017/414). That principle is especially salient when assistance is intended to provide relief for children who are vulnerable to malnutrition and disease. In that regard, the Special Representative notes that the Human Rights Council has recently called upon States to respect, protect and fulfil the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with special attention paid to groups in vulnerable situations.[2] It is clear that children affected by conflict experience heightened levels of vulnerability and protection of their right to food, water and sanitation should be prioritized.

12. Furthermore, when humanitarians are denied access to one of the most vulnerable strata of the population, children with disabilities, it is especially egregious, as they and their families face almost insurmountable obstacles to reaching much-needed assistance by other means. Unaccompanied children fleeing conflict-affected areas without family members or trusted adults who can take care of them face similar challenges in accessing humanitarian services. The challenge of undertaking journeys that are required to reach

[2] See Council resolution 35/23.

health-care facilities in conflict-affected areas with poor infrastructure, limited transportation and restrictions of movement are exponentially multiplied for those at-risk groups. Parties to conflict, as well as the relevant administrative authorities, need to be cognizant of the fact that denying essential aid to children can result in many more child deaths and is an egregious addition to the direct impact of hostilities. Even in instances when such services may not be considered an immediate life-saving activity, for example when vaccination campaigns are necessary, children can sustain long-term injuries or die if access is denied.

13. In that regard, the Special Representative urges parties to conflict to commit to a renewed focus on depoliticizing the issue and facilitating the delivery of humanitarian aid to children. Those entities are reminded that it is a principle of customary international law that they must allow and facilitate the rapid and unimpeded passage of aid to the civilian population in need in areas subject to their control. Furthermore, contained in regional human rights instruments[3] and numerous resolutions of the Human Rights Council, General Assembly and Security Council is a demand that parties to conflict provide access for relief personnel to refugee and displaced populations, often with special reference to the plight of children. Lastly, the Convention on the Rights of the Child, the most widely ratified international human rights instrument, has several provisions that necessitate the facilitation of humanitarian relief to children in need, including ensuring that children seeking refugee status receive appropriate protection and humanitarian assistance.[4]

14. In a practical sense, the Special Representative urges parties to conflict to disseminate clear orders among their rank and file to specify that humanitarian assistance for children should be facilitated in all circumstances. Penalties should also be laid out for those who fail to adhere to this principle. She calls upon the Human Rights Council to support her call and encourages the inclusion of a focus on accountability for the denial of humanitarian access to children in the next annual full-day meeting of the Human Rights Council on the rights of the child, which will focus on the theme of "Protecting the rights of the child in humanitarian situations".

B. Grave violations, trafficking and the sale of children

15. The crimes of trafficking and the sale of children are closely linked to the six grave violations affecting children in situations of armed conflict, as identified by the Security Council. According to the definition outlined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, trafficking is "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation". For children, the means is irrelevant and therefore it is simply the "action" and "purpose" that result in trafficking (see art. 3 (c) of the Protocol). The sale of children is defined in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which states that the "sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration".

16. In that context, the recruitment and use of children nearly always constitutes trafficking. The action (recruitment) and purpose (exploitation) are intrinsic elements of the

[3] See, for example, the African Charter on the Rights and Welfare of the Child, art. 23; the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, art. 9; and principles 4 and 19 of the Guiding Principles on Internal Displacement. See also Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law, vol. I: Rules*, rule 131 (Cambridge, Cambridge University Press; Geneva, International Committee of the Red Cross, 2005).

[4] See Convention on the Rights of the Child, arts. 6, 22 (1), 24 and 27.

grave violation. Recruitment and use may also lead to the sale of children in certain circumstances, as parties to conflict trade human resources, depending on the current state of the conflict. Additionally, children, especially those who are unaccompanied, may be sold or trafficked into areas of armed conflict to serve as combatants (A/72/164). Rape and other forms of sexual violence are also very clearly linked to trafficking and to the sale of children, as armed groups often traffic children for sexual purposes and sometimes use sales to sustain their activities financially. Abduction and, in certain instances, the deprivation of liberty of children for their alleged association with armed groups, can also amount to trafficking when it is for exploitative purposes, and can also result in the sale of children.

17. While such grave violations have a clear and direct link to the trafficking in and sale of children, other grave violations are linked in less intuitive ways. For example, attacks on schools and hospitals can be used to abduct children, but those violations can also make children more vulnerable to additional abuses and violations. Destroying schools and hospitals and denying education opportunities leave children more vulnerable to trafficking and sale, as they will be forced to seek education, or even employment, elsewhere. Moreover, the denial of humanitarian access may also leave children more vulnerable to trafficking, as they are forced to find ways to leave areas where insufficient aid is getting through. The increasing displacement of children from conflict zones is a linked and equally concerning issue. As the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material and the Special Rapporteur on trafficking in persons, especially women and children, have noted: "Threats faced by boys and girls do not end when they leave their home countries" (see A/72/164, para. 32). In that regard, safe spaces are needed in displacement settings to protect children, particularly those who are separated or unaccompanied, from grave violations, trafficking and sale.

18. Recognizing links and developing synergies between entities working on the grave violations, trafficking and sale of children is crucial to enhancing the response for children who are affected by violations in situations of armed conflict. In that regard, in the reporting period, the Office of the Special Representative supported the United Nations Office on Drugs and Crime (UNODC) in the development of a thematic paper on countering trafficking in persons in conflict situations.

19. Given the overlapping nature of the constituent elements of some of those crimes, it is particularly important to link up legal responses so that children have redress when they are victims. Under the Convention on the Rights of the Child and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, States parties are required to prevent, prohibit and criminalize the exploitation and abuse of children. However, national legislation is sometimes incomplete or legal lacunas exist between the different abuses and violations. Partners working on those topics should therefore be proactive in undertaking comprehensive analyses of legislation to advocate for the different paths to accountability for child victims.

20. In that regard, the action plans that have been signed between the United Nations and the parties listed in the annex to the annual report of the Secretary-General on children and armed conflict regarding the recruitment and use of children frequently contain provisions pertaining to the criminalization of that practice (A/72/361-S/2017/821). In other countries where action plans have not been put in place, the recruitment and use of children is not always a criminal matter, but is considered a disciplinary issue under the code of conduct for the military. In those situations, it is important to identify other avenues for accountability. UNODC indicates that 158 countries have criminalized most or nearly all forms of trafficking.[5] Therefore, when recruitment and use is not specifically criminalized in a country, the prosecution of perpetrators can be pursued through trafficking legislation. Such linkages are equally true for support services to victims of abuse and violations. When support services are weak for children who have suffered grave violations, avenues should

[5] *Global Report on Trafficking in Persons 2016* (United Nations publication, Sales No. E.16.IV.6).

be sought so that they benefit from services available to victims of trafficking and sale or even modern slavery, where applicable.

21. The principle of non-criminalization of victims of trafficking is also in line with the approach taken with respect to victims of grave violations. In resolution 2331 (2016), the Security Council emphasized that the United Nations should assist Member States, upon request, with identification of and assistance for victims of trafficking, including ensuring "that victims are treated as victims of crime and in line with domestic legislation not penalized or stigmatized for their involvement in any unlawful activities in which they have been compelled to engage." That is clarified by the Recommended Principles and Guidelines on Human Rights and Human Trafficking, which indicate that trafficked persons should not be criminalized for unlawful activities that they were involved in as a direct consequence of their situation as trafficked persons. That approach to victims of trafficking is coherent with the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, which indicate that children who are accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups should be considered primarily as victims of offences against international law. Those are reinforcing assertions that children should be treated as victims of violations and that criminal proceedings should be avoided for such victims.

22. The Special Representative is encouraged by the advance that regional organizations have made in the non-criminalization of victims of trafficking. For example, article 26 of the Council of Europe Convention on Action against Trafficking in Human Beings states that: "Each Party shall ... provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so." Article 14 (7) of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children, stipulates that: "Each party shall ... consider not holding victims of trafficking in persons criminally or administratively liable, for unlawful acts committed by them, if such acts are directly related to the acts of trafficking."

23. As the Special Representative plans to work with regional and subregional organizations, as outlined above, the further enhancement of synergies to augment the response to the trafficking, sale and grave violations affecting children in armed conflict will be an important element. Working with regional and subregional organizations on the non-criminalization of victims of trafficking, sale and grave violations will be a crucial element. The Special Representative will work with United Nations partners, including the International Labour Organization, UNODC, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material and the Special Rapporteur on trafficking in persons, especially women and children, to further those aims and encourages the Human Rights Council to support these initiatives.

C. Engagement with government forces

24. Following the formal conclusion of the campaign "Children, Not Soldiers", which ended in 2016, the Office of the Special Representative continued to engage with government parties listed for the recruitment and use of children in the annual report of the Secretary-General on children and armed conflict (A/72/361-S/2017/821). Drawing on the continuing momentum, political will, local ownership and international support to end and prevent the recruitment of children by national security forces in conflict situations, a number of the Governments listed worked to implement action plans to ensure children would not be part of their armed forces.

25. Since the first Government signed an action plan to end and prevent recruitment of children into the ranks of its armed forces in 2006, thousands of children have been released and reintegrated with the assistance of UNICEF, peacekeeping and political missions, and other United Nations entities and partner NGOs on the ground, and new recruitment has been prevented in many situations. Notably, in 2017, the Democratic Republic of the Congo met the benchmarks set out in the action plan to end and prevent the recruitment of children by its armed forces and was subsequently delisted for that violation

from the annual report of the Secretary-General on children and armed conflict (ibid.). In Afghanistan, the adoption of the age verification guidelines, which are used in child protection units that have been set up in 32 of 34 Afghan National Police recruitment centres, have to date prevented over 1,416 boys and 16 girls from joining the police. Moreover, in a related development in November, 50 children formerly held in the adult detention facility in Parwan on charges related to national security were transferred to a juvenile rehabilitation centre in Kabul, which should facilitate their access to psychosocial and vocational services. In December 2016, the Ministry of Defence of Afghanistan also signed a policy for the protection of children in armed conflict that includes guidance on responses to the six grave violations and accountability measures.

26. The implementation of the action plan signed with the Government of the Sudan in 2016 has been going well, with the development of a workplan on the implementation of the commitments made in the action plan. Command orders for the dissemination of the action plan were issued and focal points at the rank of Inspector-General were appointed to facilitate discussions on access. In Myanmar since 2012, over 850 children and young people recruited as children have been released from the ranks of the armed forces. In early 2017, the Government of Myanmar endorsed the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups but, along with Somalia, has still to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

27. Ongoing crises have hampered progress in the implementation of action plans in Somalia, South Sudan and Yemen, but advocacy has continued to secure the release of children associated with armed forces and armed groups. In addition, amidst the ongoing conflict in the Syrian Arab Republic, government forces and pro-government militia were listed in the annual report of the Secretary-General on children and armed conflict for the recruitment and use of children in 2017 (ibid.). The Office will continue to engage to gain additional commitments to protect children with all Governments that demonstrate political will towards that goal.

28. Engagement with Government armed forces also catalysed interaction with non-State armed groups to respond to and prevent violations. More than 50 per cent of armed groups included in the annexes to the annual report of the Secretary-General on children and armed conflict for the recruitment and use of children are active in countries where government forces are also listed, illustrating that the actions of armed groups are influenced by the conduct of government forces (ibid.). In that regard, in the Democratic Republic of the Congo, progress on the implementation of the action plan has energized a broader national campaign to raise awareness of the recruitment and use of children by armed groups, which, among other things, is using the national football team and local artists as spokespersons. The initiative aims to engender a greater recognition among commanders of non-State armed groups of the legal and political repercussions associated with the recruitment of boys and girls.

29. The success of engagement on the recruitment and use of children has opened additional avenues to strengthening child protection on a broader scale by increasing the awareness of parties to conflict of the impact of all six grave violations. In that regard, where appropriate, new action plans signed with parties to conflict go beyond ending and preventing the recruitment and use of children and include other grave violations. A new campaign, currently being elaborated by the Office of the Special Representative, will build on this momentum and focus on all six grave violations.

30. To fully realize the goals of creating child-free armies, children formerly associated with armed forces must be appropriately reintegrated into society to prevent them from being re-recruited, thus breaking the cycle of violence. Following the release of children from armed forces or groups, a focus must be placed on the adequate programming and funding of reintegration programmes. Children who have been recruited and used carry the scars of conflict, thus effective reintegration is vital so that they can live full lives and contribute to a peaceful society. Girls face even greater difficulties in being accepted back into their families and communities, as they are often stigmatized or may be returning with a child. Similarly, boys who have suffered sexual violence will face high levels of stigmatization. Without adequate reintegration and assistance to help children find ways to

become productive members of their communities who can benefit from exercising the full range of their human rights, those girls and boys may not be in a position to contribute to peace and development efforts.

31. Community-based reintegration services that provide psychosocial assistance to children have been designed to help them reclaim their lives through educational and vocational opportunities, taking into account the particular needs of girls. Equally, preparing affected communities to welcome and reintegrate children formerly recruited by armed forces or groups into their midst, is an integral part of community-based processes. In that regard, the Special Representative reiterates her call to Member States and regional and subregional organizations to ensure that the resources for separation and reintegration are sufficient and that there is a focus on sustainability, including by ensuring that children are reintegrated into safe and secure environments and provision is made to prioritize their access to education. She urges the Human Rights Council to continue to focus on this issue in relevant resolutions and other relevant forums.

D. Addressing grave violations by non-State armed groups

32. Building on advances made with government armed forces to prevent the recruitment of children, the United Nations has enhanced its engagement with armed groups with the same aim. In that regard, the United Nations has continued direct engagement with the Government of Colombia and the Revolutionary Armed Forces of Colombia to ensure the timely release and reintegration of children associated with the armed group. In addition, in September the National Liberation Army agreed to a bilateral and temporary ceasefire agreement with the Government, which included a commitment to suspend the recruitment of minors below 15 years of age into the ranks.

33. In the Philippines, the Moro Islamic Liberation Front and Bangsamoro Islamic Armed Forces continued to implement their action plan pertaining to the recruitment and use of children. The group put in place all the elements necessary to prevent the recruitment of children and all 1,869 children identified by the Moro Islamic Liberation Front as associated with its armed wing underwent formal disengagement in a series of ceremonies, the last of which took place in March 2017. The Moro Islamic Liberation Front also promulgated a directive that requires regular self-monitoring and screening of armed elements, as well as age assessment guidelines to establish internal safeguards for preventing the association and reassociation of children. Following the full implementation of the action plan, the group was delisted from the annual report of the Secretary-General on children and armed conflict (ibid.). The provision of services, including the development of life skills and vocational opportunities, will be important to minimize the risk of children being reassociated.

34. In the Sudan, following the signature of an action plan in November 2016, the Sudan People's Liberation Movement-North committed to ensuring the release of children present in their ranks and to taking the measures necessary to halt child recruitment and use, including through the issuance and dissemination of military orders and the appointment of a high-level focal point to coordinate and collaborate with the United Nations to ensure the full implementation of the action plan. The group also pledged to facilitate the reintegration of the children into their communities and provide for their access to education.

35. Engagement by the United Nations with non-State armed groups also resulted in the signing of two new action plans in the reporting period. In March 2017 in Mali, the Coordination des mouvements de l'Azawad signed an action plan with the United Nations to prevent the recruitment of children and the use of sexual violence against them. This was a particularly positive development in the light of the fact that all entities under the umbrella of the Coordination des mouvements de l'Azawad are bound by the provisions of the action plan, despite the fact that only the Mouvement national de libération de l'Azawad is listed in the report of the Secretary-General on children and armed conflict as having put in place measures to protect children (ibid.). In September 2017, the United Nations also signed an action plan to end and prevent the recruitment and use of children by the Civilian Joint Task Force in Nigeria. In October, the president of that group issued a standing order

to instruct all 35 sector commanders to immediately end and prevent the recruitment of children.

IV. Raising global awareness and mainstreaming

A. Field visits and awareness-raising

36. Field visits and awareness-raising remained a central aspect of the activities of the Special Representative and her Office in the reporting period. In that regard, following the sustained exchanges with the Government of Colombia, the Revolutionary Armed Forces of Colombia and the process guarantors, the Special Representative travelled to Colombia in November 2017. In her exchanges with representatives of the Government, she emphasized that the reintegration of released children should be the priority of all parties. Staff of her Office also travelled on technical missions in the reporting period to Afghanistan, Bangladesh, South Sudan and the Sudan, in order to advance key priorities relating to children and protection from armed conflict. In October, a technical team from the Office travelled to Saudi Arabia to engage with the newly-formed child protection unit of the Coalition to Restore Legitimacy in Yemen to provide assistance for improving the protection of children in Yemen.

37. In terms of awareness-raising, in February 2017, the Special Representative gave an address in Brussels at the high-level opening of the international conference on children and armed conflict, organized by Belgium under the theme "Sharing experiences of developing and implementing child protection policies in conflict settings". She also chaired a panel on the implementation of Security Council resolutions in the field. During the conference, the importance of identifying and sharing best practices between different organizations on developing and implementing child protection policies, including training and guidance, was emphasized.

38. In New York in February 2017, the President of the General Assembly convened an informal meeting to commemorate the twentieth anniversary of the children and armed conflict mandate. Panellists and Member States expressed their continued strong support for the mandate, emphasizing that at a time when emerging and protracted conflicts were disrupting the lives of millions of boys and girls around the world, the mandate was more relevant than ever. On the occasion of the anniversary, the Special Representative published a booklet entitled "20 years to better protect children affected by conflict" on the work accomplished in the 20 years since the establishment of the mandate, which is available in English and French.[6]

39. Also in February 2017, the Special Representative participated in a ministerial-level international conference in Paris, co-hosted by the Government of France and UNICEF in collaboration with the steering group on the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, to commemorate the tenth anniversary of the Paris commitments to protect children from unlawful recruitment or use by armed forces or armed groups and the Principles and Guidelines. The Special Representative delivered a speech during the plenary session and presented, among other elements, the outcome of the "Children, Not Soldiers" campaign.

40. The Office of the Special Representative also took part in an annual workshop on children and armed conflict and women, peace and security, organized by the Federal Foreign Office of Germany in Berlin in April 2017. Concrete opportunities for Member States and regional organizations to deepen their engagement with regard to the protection of children affected by conflict were put forward on that occasion.

41. In June 2017 in London, the Special Representative was invited to be part of a high-level panel discussion on encouraging respect for the law by non-State armed groups on the

[6] Available from https://childrenandarmedconflict.un.org/commemorating-20-years-of-work-for-children/.

occasion of a conference organized by the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland and the British Red Cross on the theme "Modern armed conflict and the evolution of international humanitarian law". During that visit, the Special Representative also met with representatives of the Foreign and Commonwealth Office and a number of London-based NGOs. During the same trip, the Special Representative travelled to Berlin to meet with counterparts in the German Federal Foreign Office to discuss child protection concerns. In August, the Special Representative also met with the Assistant Secretary-General for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

42. Many initiatives in the reporting period were directly related to the children and armed conflict elements of the Sustainable Development Goals. For example, in October, the Special Representative addressed the Security Council in an Arria formula meeting organized by the Permanent Mission of Italy and its partners, the Permanent Missions of France, Sweden and Uruguay, on the issue of attacks on schools. During her intervention, the Special Representative focused on the need for protecting the right to education for those affected by armed conflict. In December, members of her Office travelled to Panama to make a presentation at a meeting entitled "Strengthening the role of defence actors in protecting education from attack and schools from military use", which was organized by the Governments of Argentina, Norway and Panama and the Global Coalition to Protect Education from Attack. The disengagement, demobilization and reintegration of children in situations of armed conflict also remained an area of concern for the Special Representative during the reporting period. In that regard, she spoke at a high-level meeting on the topic with the Deputy Prime Minister and Minister for Foreign Affairs of Belgium in New York in October. She also held two meetings with representatives of the World Bank in the reporting period to discuss collaboration on the protection of children, particularly related to the reintegration of children formerly associated with parties to conflict. During her visits to Washington, D.C., the Special Representative took the opportunity to meet with key counterparts in the State Department and representatives of Congress. The Special Representative also gave a keynote speech on the impact of conflict on children at the Stimson Center. On the same topic, in December 2017 she travelled to South Africa to attend a brainstorming and planning session on the treatment of former child soldiers from Mozambique.

43. Throughout the reporting period, the Office of the Special Representative supported the United Nations Office on Drugs and Crime in the development of a thematic paper on trafficking in situations of conflict, which aims to enhance the response of the United Nations to such crimes. To that end, in September, members of the Office travelled to Vienna to take part in an expert group meeting on the topic of trafficking in conflict zones. In November in Milan, the Special Representative attended the thirty-ninth annual forum of Parliamentarians for Global Action on the theme of preventing violent extremism and mass atrocities, at which she participated in a panel on "Addressing the drivers and root causes of violent extremism and mass atrocities and identifying successful strategies for deradicalization". That same month, she spoke on the topic of "Crisis and conflict: protecting the most vulnerable" at the fourth Global Conference on the Sustained Eradication of Child Labour in Buenos Aires. That interaction continues the strong collaboration with the International Labour Organization, particularly regarding the prohibition and elimination of the worst forms of child labour, including the recruitment and use of child soldiers.

B. Working with regional organizations

African Union

44. The strong partnership between the Special Representative and the African Union has continued and the Special Representative travelled to N'Djamena in October to take part in a retreat for special envoys and mediators. The retreat focused on the emerging world order, multilateralism and Africa, and the Special Representative worked with

participants to highlight the concerns about children and armed conflict relevant to their work.

European Union

45. In February and June 2017, the Special Representative addressed the Political and Security Committee of the Council of the European Union and in June 2017, she also addressed the European Parliament Subcommittee on Human Rights and met in Brussels with the European Union Special Representative for Human Rights. During those meetings, views and information were exchanged on the impact of armed conflict on children and on ways to further strengthen the cooperation between the European Union and the Office of the Special Representative with regard to the protection of children affected by armed conflict.

League of Arab States

46. Pursuant to the cooperation agreement between the League of Arab States and the Office of the Special Representative signed in 2014, the Special Representative continued to engage with the League of Arab States, including to advocate for ratification by all members of the League of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and to explore areas for further cooperation and joint advocacy for the protection of children affected by armed conflicts in the region. Building on that progress, the Office will seek to further deepen engagement with the League during the next reporting period.

North Atlantic Treaty Organization

47. The Special Representative engaged with NATO, with a view to deepening the partnership on the issue of children and armed conflict. In January 2017 in New York, she met with the Commander of the Resolute Support Mission and United States Forces Afghanistan, and in February 2017 in Brussels, she met with the Deputy Secretary-General of NATO to discuss ways to further strengthen the protection of children in NATO-led operations.

48. The Office of the Special Representative contributed to the development of NATO policies and guidelines on children and armed conflict, including through attending a training session on children and armed conflict in September held in Izmir, Turkey, and participated in discussions on operationalizing the policy in the Resolute Support Mission, which were held in December 2017 in Kabul.

Organization of Islamic Cooperation

49. In 2017, the Office of the Special Representative continued its collaboration with the Organization of Islamic Cooperation, in particular with the Independent Permanent Human Rights Commission and held a number of meetings to discuss issues of mutual interest and areas for future engagement.

C. Building support with civil society

50. Strengthening relationships with academia and civil society and NGOs working on the issue of children and armed conflict is a key priority for the Special Representative. She addressed Member States and civil society organizations through a video message at the second international conference on safe schools, held in Buenos Aires in March 2017. In addition, in recent months, the new incumbent has held joint briefings to share information on her priorities for the Office and to discuss ways of maintaining the focus on the children and armed conflict agenda. The Special Representative met with over 50 organizations, in London, Brussels, Geneva, New York and a number of other places in the second half of 2017. In Geneva, close collaboration has continued with the Child Rights Connect working group in order to mainstream the work on children and armed conflict in a number of Geneva-based processes.

D. Building support for partnerships with human rights entities and United Nations mechanisms

51. The Special Representative continues to engage with Member States that have not already ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, with the aim of achieving universal ratification thereof and enhancing the legal protection of children's rights in conflicts. In the reporting period, she held bilateral meetings with Member States and actively engaged with regional and subregional organizations, civil society and regional groups on the matter. The Central African Republic became a State party to the Optional Protocol during the reporting period. The Special Representative has also used those engagements to push for the endorsement of other instruments that will improve the protection of the rights of children in situations of armed conflict, such as the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups and the Safe Schools Declaration. In that regard, during the reporting period, the Special Representative and her Office worked with the Government of Yemen to support its endorsement of the Safe Schools Declaration, which it signed in October.

52. The Special Representative continued to prioritize close cooperation between her Office and international human rights mechanisms, in particular the universal periodic review, the Committee on the Rights of the Child and the Human Rights Committee. In that regard, her Office submitted three contributions in the previous reporting period to the universal periodic review process on the Philippines, South Sudan and the Syrian Arab Republic. The Special Representative notes that during the review of the Philippines, the United Nations High Commissioner for Human Rights, in his letter to the Foreign Minister, reiterated the points noted in the submission of the Office of the Special Representative by urging the Government of the Philippines to prioritize the passage of the draft law on children in situations of armed conflict to ensure better protection of children against grave violations in the context of armed conflict and take measures to prevent the abduction and recruitment of children by armed groups. In the case of the Syrian Arab Republic and South Sudan, many Member States highlighted the protection of children in the context of armed conflict during the respective interactive dialogues. The Special Representative encourages the Human Rights Council to continue to address issues related to children and armed conflict for relevant countries; welcomes the practice of adopting concrete recommendations; and encourages references to the relevant findings of treaty bodies and special procedures mandate holders to ensure sustained mainstreaming and follow-up by the various actors involved in the protection of children's rights.

53. Treaty bodies have continued to play an important role in identifying gaps between the legal and policy framework and the practice regarding children and armed conflict, and have made recommendations to address any shortcomings. In that regard, the Special Representative is encouraged that the situation of children affected by armed conflicts in the Central African Republic and the Democratic Republic of the Congo has been outlined in the respective concluding observations of the Committee on the Rights of the Child (CRC/C/CAF/CO/2 and CRC/C/COD/CO/3-5). Those are strong concluding observations, which mirror the messaging of the submission of the Office of the Special Representative though their focus on prioritizing peace talks, criminalizing the recruitment and use of children and pursuing accountability for grave violations against children, as well as enhancing disarmament, demobilization and reintegration processes for children. During a meeting with the President of the Central African Republic in September, the Special Representative also emphasized these messages and offered the support of the United Nations. Moving forward, the Office will work with United Nations colleagues on the ground in the Central African Republic and the Democratic Republic of the Congo to provide support for the swift implementation of the important recommendations of the Committee on the Rights of the Child.

54. The Special Representative travelled to Geneva on three occasions during the reporting period. In December 2016, the previous Special Representative was invited by the United Nations High Commissioner for Refugees to the ninth annual dialogue on protection challenges on the theme "Children on the move". In her speech, she focused, among other

things, on ways to improve the international protection response for children affected by conflict. In March 2017, the previous Special Representative also travelled to Geneva to present her annual report for 2016 to the Human Rights Council.

55. In June, the new Special Representative travelled to Geneva to meet with Geneva-based counterparts and to reinforce the work of her Office with entities based there, to which she introduced her vision for the future of the mandate and articulated her view for enhanced partnerships moving forward. In that context, she met with the Group of Friends of Children and Armed Conflict, which is co-chaired by Belgium and Uruguay, the International Committee of the Red Cross, and the United Nations High Commissioners for Refugees and for Human Rights. She also attended meetings with the Swiss Ministry of Foreign Affairs in Bern.

56. Within the United Nations system, the Office of the Special Representative has continued to support the efforts developed as part of the Secretary-General's Human Rights Up Front initiative. Concerns relating to children and armed conflict have also been mainstreamed in Organization-wide initiatives on human rights issues. For example, the Office has been working with UNICEF, the Department of Peacekeeping Operations and the Office of the United Nations High Commissioner for Human Rights to analyse the issue of the consolidation of specialized protection functions in peace operations. The issue of maintaining an adequate presence of child protection advisers in United Nations peace operations has also been an important focus during the period. Much effort has been exerted by the Special Representative and her Office to ensure that a critical level of child protection staff is maintained in the face of budget constraints. Upholding this capacity is vitally important to continue protecting children's rights through mainstreaming child protection, conducting dialogue on action plans, releasing and reintegrating children and for monitoring and reporting.

V. Recommendations

57. **The Special Representative expresses her concern in relation to the increased use of besiegement as a tactic of war, reminds all parties to conflict of their obligations under international law regarding the provision of assistance to the civilian population and implores them to depoliticize the delivery of humanitarian aid to children. Specifically, clear orders should be disseminated among the rank and file to specify that humanitarian assistance for children should be facilitated in all circumstances. She urges the Human Rights Council to reinforce those messages in its work and for commissions of inquiry and other mechanisms to focus on this grave violation in their work.**

58. **The Special Representative urges the Human Rights Council to focus on the issue of grave violations, trafficking and human sale in resolutions and urges it to promote the non-criminalization of all child victims. She also encourages the Council to prioritize the provision of support services for children who have been subject to violations and abuse in situations of armed conflict.**

59. **The Special Representative urges Member States and regional and subregional organizations to support her Office and other child protection actors to carry out lessons-learned initiatives in order to compile comprehensive best practices on the children and armed conflict mandate. Those best practices will be essential in discussions with parties to conflict, including on reducing the impact of the conduct of hostilities on the rights of children.**

60. **The Special Representative welcomes the leadership and contribution of regional and subregional organizations in the protection of children. She calls upon all such organizations to work closely with her Office to enhance legal protection frameworks and facilitate the better integration of child protection considerations into their policies, operational planning and training of personnel.**

61. **Recalling that the issue of the reintegration of children is crucial to ensuring long-term peace, security and sustainable development, the Special Representative**

encourages the Member States concerned to take appropriate measures, including through supporting the relevant child protection actors, to reintegrate those children who have been associated with armed groups, paying special attention to the needs of girls. She also calls upon all Member States to provide the necessary political, technical and financial support for reintegration programmes.

62. **The Special Representative welcomes the continued attention to both progress and challenges regarding the impact of armed conflict on children in the reports of States parties to the Committee on the Rights of the Child and the Human Rights Committee, as well as in the concluding observations of both committees. In that regard, all relevant Member States are urged to include, as appropriate, specific references to information on grave violations against children, on gaps in their applicable legal and policy frameworks and on accountability initiatives, in their own submissions to those bodies.**

63. **Relevant United Nations entities are also encouraged to use the concluding observations of the Committee on the Rights of the Child and the Human Rights Committee as advocacy tools to promote States party follow-up to and implementation of recommendations related to children and armed conflict.**

64. **The Special Representative urges members of the Human Rights Council to emphasize the importance of the deployment of dedicated child protection capacity in situations of armed conflict, in order to mainstream child protection, conduct dialogue on action plans, support the release and reintegration of children and for monitoring and reporting. The Special Representative stresses that the need for such child protection capacity, including the budget required, should be systematically assessed during the preparation of peacekeeping operations and political missions.**

65. **The Special Representative notes the need to ensure that sufficient resources are provided to her Office and its partners to enable an increased focus on mandated tasks, such as awareness-raising, lessons learned, best practices and proactive engagement with regional and subregional organizations.**